

Camden County Board of Commissioners

Regular Meeting

April 6, 2009

7:00 P.M.

Closed Session

6:00 P.M.

**Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, April 6, 2009 at 7:00 p.m., with a closed session held at 6:00 p.m., in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Philip S. Faison
Vice Chairman Melvin J. Jeralds
Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

Also attending were County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and County Attorney John Morrison.

Chairman Philip Faison called the meeting to order at 6:00 p.m.

Commissioner Sandy Duckwall made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney, pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing industrial recruitment and pursuant to G.S. 143-318.11(a)(6) for the purpose of discussing personnel. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 6:01 p.m.

Commissioner Sandy Duckwall made a motion to come out of closed session and into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 6:47 p.m. for a brief recess until the regular meeting started at 7:00 p.m.

At 7:00 p.m. Commissioner Sandy Duckwall gave the invocation and lead those present in the Pledge of Allegiance.

PRESENTATION: Sharon Tanner and John Aydtlett – Update on Albemarle Health

Sharon Tanner gave a power point update on the staff and services offered at Albemarle Health. Camden County representative John Aydtlett accompanied Mrs. Tanner.

Public Comments

Bill Norton, 339 Lambs Road, spoke in regards to Albemarle Mental Health and opposed any financial help from the County to Albemarle Mental Health until a complete and through investigation is done regarding wages that have been paid to their employees.

Consideration of Agenda

Chairman Philip Faison added *Item 6. New Business, 1.A.1. Don Horton – Resolution No. 2009-04-03, Item 6. New Business, I. A. Application Form for Barbara McCarthy.*

Item 6. New Business, I. 6. Red Cross Board Appointment, and Item 6. New Business, K. Albury Tax Refund Request.

Commissioner Sandy Duckwall made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Garry Meiggs made a motion to approve the consent agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

March 16, 2009 MediaCom Community Forum subject to correction of technical and typographical errors.

March 16, 2009 Regular Meeting subject to correction of technical and typographical errors.

Volunteer Form – Paula Nash & Charlene Jones

Set Public Hearing – Ordinance No. 2009-04-01 – Amendments to Article 151.347 (Specific Standards – Shooting Range Facilities) of Camden County Code of Ordinances for April 20, 2009.

Set Public Hearing – Ordinance No. 2009-04-02 – Amendments to Article 151.232 (Design Standards and Criteria for Major Subdivisions) of the Camden County Code of Ordinances for April 20, 2009.

Proclamation for Fair Housing Month – April 2009

PROCLAMATION FOR FAIR HOUSING MONTH APRIL 2009

WHEREAS, April 2009 marks the 41st anniversary of the Federal Housing Act of 1968 and the 26th anniversary of the North Carolina Fair Housing Act. Both laws prohibit discrimination in housing because of race, color, sex, religion, national origin, handicap and familial status; and

WHEREAS, the Camden County Board of Commissioners, Northeastern Community Development Corporation, City of Elizabeth City, Elizabeth City State University Community Development Program, Elizabeth City Neighborhood Corp., River City Community Development, and the Albemarle Area Board of Realtors, county and local governments, concerned citizens and the housing industry, are working to make fair housing opportunities possible for all our citizens. Through their efforts, they are encouraging others to abide by the letter and the spirit of the fair housing laws; and

WHEREAS, one of the most important concerns of Camden County citizens is the availability of housing to them as individuals and families. By supporting and promoting fair housing and equal opportunity, we are contributing to the health of our County and our State;

NOW, THEREFORE, I, Philip S. Faison, Chairman of the Camden County Board of Commissioners, do hereby proclaim April 2009 as “**Fair Housing Month**” in Camden County, and urge our citizens to rededicate themselves to ensuring that fair housing laws are always upheld and citizens are protected against discrimination.

ADOPTED, this 6th day of April 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(Seal)

Authorization to Collect – December Renewals

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County (December Renewals) Due 4/1/09

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
13,251.05	19,132.16	7,811.14	40,194.35

Witness my hand and official seal this 6th day of April, 2009.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

Tax Administrator of Camden County

Board Resignation – Mary Rhodes – Adult Care Home Community Advisory Committee

Budget Amendments – 2008-09-BA040, 2008-09-BA041 and 2008-09-BA045

2008-09-BA040
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Revenues:			
10320400-434504	Medicaid Hold Harmless		\$22,032.00
10330580-436930	S/W Disposal Tax Distribution	\$ 2,000.00	
10320400-432810	Franchise Tax	\$20,032.00	

Short fall in Medicaid Hold Harmless.
Solid Waste Disposal Tax not budgeted.
Increase in Franchise Tax not budgeted.

This will result in an increase of \$0.00 in the Contingency of the General Fund.

Balance in Contingency \$6,017.00 in General Fund

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 6th day of April, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA041
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Social Services Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
526100-557001	Private Donations		\$220.00
528000-511002	AFDC County Issued Checks	\$500.00	
Revenues:			
52360610-402001	Donations		\$220.00
52330610-434821	County Issued Checks	\$500.00	

Received additional donations.

This will result in an increase of \$0.00 in the Contingency of the General Fund.

Balance in Contingency \$6,017.00 in General Fund

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 6th day of April, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA045
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
106200-510000	Training		\$1,912.00
106200-567000	Other Services	\$ 957.00	
106200-570002	Crown Kids		\$ 956.00
Revenues:			
10330620-434801	JCPC Grant		\$3,825.00

This will result in a decrease of \$ 0.00 in the Contingency of the General Fund.

Balance in Contingency \$6,017.00 in General Fund

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 6th day of April, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

New Business – Resolution No. 2009-04-03 – A Resolution of the Camden County Board of Commissioners Supporting an Alternative Method of Recognition for Veterans Status to Merchant Marine Seamen of WW II

Commissioner Michael McLain made a motion to approve Resolution No. 2009-04-03. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Resolution No. 2009-04-03

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
SUPPORTING AN ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS
TO MERCHANT MARINE SEAMEN OF WW II**

WHEREAS, Public Laws 95-202 and 105-368 bestowed veteran status on US Merchant Marine Seamen of WW II, and

WHEREAS, two specific U.S. Government actions by US government have caused some 10,000 merchant seamen to have been denied their due recognition;

1. The United States Coast Guard relieving Masters of tugs, towboats and seagoing barges of the responsibility of submitting reports of seamen shipped and discharged, and
2. The National Maritime Administration ordered ship's logbooks to be destroyed because they were too costly to maintain subsequently removing the two main criteria required by the government to issue official recognition to those seamen, and

WHEREAS, the average age of the remaining seamen is above age 86 and the population of the US veteran is shrinking at an average of 850 per year causing time to be of the essence; and

WHEREAS, **No costs are associated with this proposal as funds are provided in the current federal law.**

WHEREAS, the Camden County Board of Commissioners therefore request that immediate action be taken to correct inconceivable action.

NOW, THEREFORE, BE IT RESOLVED, that the Camden County Board of Commissioners supports the attached proposal and so orders that this Resolution and attached proposal be sent to Senator Kay Hagen, Senator Richard Burr, Congressman Walter Jones and Congressman G.K. Butterfield and this matter be placed into action to ensure expedient passage.

Adopted this the 6th day of April, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus, Clerk to the Board

(SEAL)

New Business - 2008 Advertisement of Tax Liens on Real Estate

Pursuant to G.S. 105-369(a), the Tax Administrator is reporting to the County Commissioners the total amount of unpaid taxes for the current fiscal year that is liens on real property.

Pursuant to G.S. 105-369(c), the County Commissioners need to set the date for advertising the tax lien for real property.

Commissioner Sandy Duckwall made a motion to accept the report from the Tax Administrator that, as of March 23, 2009, the total amount of unpaid taxes for the current fiscal year, which are liens on real property is \$338,375.23, and this figure shall change over time with collections and releases, and to set the tax lien advertising date of April 10, 2009. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Set Equalization and Review Board Hearing Dates

As per G.S. 105-322(e) the 2009 Board of Equalization and Review hearing dates must be set. Tax Administrator Mary Rhodes stated that a *Member's Handbook for Boards of Equalization and Review* would be presented to the Board at the April 20, 2009 meeting for the Board's review and guidance.

Commissioner Sandy Duckwall made a motion to set the 2009 Board of Equalization and Review hearing dates to convene on May 4, 2009 and adjourn on June 1, 2009. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Budget Amendments 2008-09-BA042, 2008-09-BA043 and 2008-09-BA044 – Intermediate School Project – Fund 74

Commissioner Michael McLain made a motion to approve budget amendments 2008-09-BA042, 2008-09BA043 and 2008-09-BA044. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Renewal of Auditor's Contract – Thompson, Price, Scott & Adams & Co., PA

Commissioner Michael McLain made a motion to approve the auditor's contract from Thompson, Price, Scott & Adams. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Demolition Estimates for 118 North 343

Public Works Manager David Credle presented two (2) estimates for the demolition of 118 North 343.

Following discussion, Commissioner Garry Meiggs made a motion to revisit this matter after the cost of insurance can be determined for attracting nuisance and liability. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Safety Policy

Commissioner Sandy Duckwall made a motion to approve the Safety Policy as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SAFETY POLICY

It is the policy of Camden County to provide safe working conditions, personal protective equipment (PPE) as required, safe environment, proper job instructions, adequate supervision and frequent review of working practices to assure that employees can perform their jobs safely and productively.

Workplace accidents place an unnecessary financial burden on taxpayers. Most accidents can be prevented by training, common sense, and diligence from employees and supervisors. Therefore, it is the responsibility of each employee, and especially those in a supervisory capacity, to assure that work is planned, performed, and supervised with safety in mind, and that all necessary safety requirements are in place.

It is the responsibility of all employees to make safety part of their job.

_____, Chairman
Camden County Board of Commissioners

April 6, 2009
Date

New Business - Resolution No. 2009-04-01 – NCDOT Requesting Utilization of Secondary Road Funds to bring Wisteria Drive to Unpaved Standards

Planning Director Dan Porter stated that the property owner withdrew Resolution No. 2009-04-01 and requested that the county pass a different resolution and call for a public hearing, which requires three (3) hearings, to abandon Wisteria Drive as a public road and make it a private road so that the property owners can maintain and improve Wisteria Drive on their own. Planning Director Dan Porter stated staff will draft a resolution and bring back to the next meeting for setting a public hearing.

New Business - Resolution No. 2009-04-02 – NCDOT Requesting Utilization of Secondary Road Funds to bring Ridge Road to Unpaved Standards

Chairman Philip Faison called for a motion.

Resolution No. 2009-04-02 failed for lack of motion.

New Business - Board Appointments

Adult Care Home Community Advisory Committee

Commissioner Michael McLain made a motion to appoint Barbara McCarthy to the Adult Care Home Community Advisory Committee for a term of three (3) years, expiring March 31, 2012. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Michael McLain made a motion to appoint Michaelene Sawyer to the Adult Care Home Community Advisory Committee for a term of three (3) years, expiring March 31, 2012. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

College of the Albemarle Board of Trustees

Commissioner Michael McLain made a motion to re-appoint Dr. W. Roger Lambertson to the College of the Albemarle Board of Trustees for a term of four (4) years, expiring June 30, 2013. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Shiloh Courthouse Fire Commission

Commissioner Melvin Jeralds made a motion to re-appoint Dewey Berry, term expiring June 30, 2010, George Tarkington, term expiring June 30, 2011, and William Forehand, term expiring June 30, 2011, to the Shiloh Courthouse Fire Commission. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

South Mills Fire Commission

Commissioner Melvin Jeralds made a motion to re-appoint Ray Albertson, term expiring December 31, 2009, and Mike Whitehurst, term expiring December 31, 2009 to the South Mills Fire Commission. The motion passed with Commissioners Melvin Jeralds, Sandy

Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Albemarle Resource Conservation & Development Board

Commissioner Melvin Jeralds made a motion to re-appoint J.C. Rountree to the Albemarle Resource Conservation & Development Board for a term of four (4) years, term expiring May 31, 2013. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

American Red Cross

Having no recommendation, the Chairman so ordered this matter placed on the next meeting agenda.

Parks & Recreation Advisory Board

Commissioner Michael McLain made a motion to appoint Paula Nash to the Parks & Recreation Board for a term of three (3) years, term expiring December 31, 2012. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Plumbing Services Agreement

The Services Agreement with B & P Custom Plumbing & Heating Corp., 2312 Johnstown Road, Chesapeake, VA is for the purpose of installing water line connections from the water meter to the residence, for five (5) approved applicants of the Infrastructure Hook-Up Program.

This work was advertised for bid based on six (6) connections; however one (1) applicant has now already been connected through a USDA program. The county received five (5) bids, and B & P Custom Plumbing & Heating Corp. was the low bidder.

The total cost will be approximately \$2,750. The cost may vary slightly due to changes related to the actual length of lines installed.

The CDBG Infrastructure Program provides all the funds to pay connection fees, and the cost of connecting water meter to the residence.

The total grant is \$37,289. Due to the reduction of applicants and the overall funding from the grant, the county may be able to add additional eligible applicants after evaluating final costs for the existing applicants.

Commissioner Sandy Duckwall made a motion to approve the Services Agreement with B & P Custom Plumbing & Heating for the installation of five (5) water connections initially, and additional connections if grant funding permits. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Refund Request – Albury

Commissioner Sandy Duckwall made a motion to approve a tax refund request from Sheila Albury in the amount of \$4,534.58. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Chairman Philip Faison recessed the Board of Commissioners meeting at 7:50 p.m. and Member Michael McLain made a motion to go into the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

Member Michael McLain made a motion to adjourn the South Camden Water & Sewer District Board of Directors meeting. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

The meeting adjourned at 8:02 p.m.

The Commissioners re-entered the regular meeting of the Camden County Board of Commissioners at 8:02 p.m.

Capital Improvement Program Workshop

County Manager Randell Woodruff stated that he is not suggesting any changes to the Capital Improvement Program at this time, and there will be a future meeting to update the program as the budget process moves forward.

Commissioner's Report

Commissioner Michael McLain reported that the community forum meeting for MediaCom will be held Tuesday, April 28, 2009 at the Old Trap Community Center at 7:00 p.m and Tuesday, May 5 at the South Mills Ruritan Club at 7:00 p.m.

Chairman Philip Faison stated he would attend the meeting in Old Trap and Commissioner Michael McLain stated he would attend both meetings.

County Manager's Report

County Manager Randell Woodruff informed the Board that NCDOT has made an offer of \$16,250 for the property located on the Camden Causeway at the Yacht Club and will ask Attorney Hornthal to send an email to the Board regarding his recommendation.

County Manager Randell Woodruff informed the Board that the School of Government is asking for a donation for a professorship in honor of retiree David Lawrence.

Chairman Philip Faison asked that this matter be placed on the next meeting agenda for consideration.

Adjournment

Commissioner Sandy Duckwall made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 8:10 p.m.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board